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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/595,798	06/16/2000	William J. Brosnan	IGTIP021/P-239	3320

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EXAMINER

CAPRON, AARON J

ART UNIT

PAPER NUMBER

3714

DATE MAILED: 07/15/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/595,798

Applicant(s)

BROSNAN, WILLIAM J.

Examiner

Aaron J. Capron

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 April 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2 and 4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

MARK SAGER
PRIMARY EXAMINER

DETAILED ACTION

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-2, 4, 6-9, 11-15, 17-18, 20-23, 25 and 27 are rejected under 35 U.S.C. 102(b) as being anticipated by Vuong et al. (U.S. Patent No. 5,762,552; hereafter “Vuong”).

Referring to claims 1 and 8, Vuong discloses a gaming machine that includes a master gaming controller that controls a game played on a gaming machine, a game server that provides one or more services to a plurality of gaming machines within a network; and a communication interface connected to a network of gaming machines (3:30-40 and 4:6-19).

Referring to claim 2, Vuong discloses the game played on the gaming machine being a slot game, video poker, video blackjack, keno and lottery (1:5-20 and 4:20-31).

Referring to claim 4, Vuong discloses the gaming machines are bi-directional and are connected in at least one loop (6:29-48).

Referring to claim 6, Vuong discloses a gaming machine that has a concentrator for gathering information from a plurality of gaming machines in the network of gaming machines (7:66-8:27 and 9:49-57)

Referring to claim 7, Vuong discloses a game machine that has a translator that translates one communication protocol to another communication protocol (8:36-40).

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Referring to claim 8, Vuong discloses a gaming machine that includes the game server is a component in at least one of the plurality of gaming machines in the gaming machine network (4:6-19 and 14:25-35).

Referring to claim 9, Vuong discloses a gaming machine that includes the game server has a microprocessor for performing server functions (4:6-19). It is inherent that a game server includes a processor for performing game server functions.

Referring to claim 11, Vuong discloses a gaming machine that includes a memory device storing game information from a plurality of gaming machines (3:16-29)

Referring to claim 12, Vuong discloses a gaming machine that includes game information is a number of games played, a number of wins, number of losses, a game event, and an amount of money wagered for one or more gaming machines (9:40-62).

Referring to claims 13, Vuong discloses a gaming machine that includes the gaming information is game coding instructions that allow a master gaming controller to present the game to a player on the gaming machine (4:6-19).

Referring to claim 14, Vuong discloses a gaming machine that includes the game information is game configuration information that configures a gaming machine for the game play of a particular game (4:20-31 and 10:27-32).

Referring to claim 15, Vuong discloses a gaming machine that includes an input device and a display device wherein the two devices enable a player to select a game from a list of games and the coding instructions of each game are served on the game server (4:19-30).

Claims 17-18, 20-23 and 25 correspond in scope to a method set forth for use of the structure listed in claims 1-2, 4, 6-9 and 11-15 and are encompassed by use as set forth in the rejection above.

Claims 27, 29 and 31 correspond in scope to a method set forth for use of the structure listed in claims 1-2, 4, 6-9 and 11-15 and are encompassed by use as set forth in the rejection above.

Claims 3, 5, 16, 19, 26, 28 and 30 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Vuong. Vuong discloses at least one of the features listed in each of the claims below, but may not teach all of the features listed in each of the claims below. However, these "untaught" features are equivalent to the features that are disclosed by Vuong.

Referring to claim 3, Vuong discloses that the server provides accounting (3:16-29).

Referring to claim 5, the gaming machines can be coupled by wire and wireless connections (7:57-61 and 5:24-35).

Referring to claim 16, Vuong discloses a gaming machine that includes a casino area network (1:5-19).

Claims 19 and 26 correspond in scope to a method set forth for use of the structure listed in claims 3, 5 and 16 and are encompassed by use as set forth in the rejection above.

Referring to claims 28 and 30, Vuong discloses that the game is selected from video poker, video black jack, slot games and keno (see above).

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Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 10 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vuong in view of Weiss (U.S. Patent No. 5,611,730).

Referring to claim 10, Vuong discloses a gaming machine that includes a memory, but does not disclose that the memory is removable. However, Weiss discloses that the memory is removable (9:12-35 and 18:27-29). One would be motivated to combine the two references since both references deal with network gaming machines. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate removable memory into Vuong's invention because problems could occur with the memory and new memory may have to be added and the old memory be examined for diagnostic checks.

Referring to claim 24, Vuong disclose a method that has a game operation, but does not disclose the game operation being either presenting a bonus game or displaying a progressive jackpot. However, Weiss discloses a progressive gaming system. One would be motivated to combine the two references since both use network gaming systems in a casino environment. Also, it notoriously well known in the arts that slot games have bonus features, such as bonus games and progressive jackpots, to attract players. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the bonus features

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of Weiss with Vuong's invention because casinos can generate more money since the slot machine would attract more players.

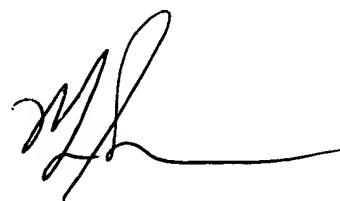
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aaron J. Capron whose telephone number is (703) 305-3520. The examiner can normally be reached on M-F 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Valencia Martin-Wallace can be reached on (703) 308-4119. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-9302 for regular communications and (703) 746-9303 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1148.

ajc
July 10, 2002



MARK SAGER
PRIMARY EXAMINER